

# OPEN MEETING ITEM



0000127744

COMMISSIONERS  
GARY PIERCE - Chairman  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

ORIGINAL



ARIZONA CORPORATION COMMISSION

RECEIVED  
EXECUTIVE DIRECTOR

2011 JUL 22 P 3:15

AZ CORP COMMISSION  
DOCKET CONTROL

DATE: JULY 22, 2011  
DOCKET NO.: T-04259A-11-0206

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Sarah N. Harpring. The recommendation has been filed in the form of an Order on:

GLOBAL CONNECTION INC. OF AMERICA  
(CANCEL CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

AUGUST 1, 2011

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

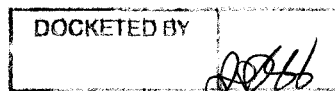
AUGUST 16, 2011 and AUGUST 17, 2011

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

DOCKETED

JUL 22 2011



ERNEST G. JOHNSON  
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347

[www.azcc.gov](http://www.azcc.gov)

This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail [SABernal@azcc.gov](mailto:SABernal@azcc.gov)

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 GARY PIERCE – Chairman  
4 BOB STUMP  
5 SANDRA D. KENNEDY  
6 PAUL NEWMAN  
7 BRENDA BURNS

8 IN THE MATTER OF THE APPLICATION OF  
9 GLOBAL CONNECTION INC. OF AMERICA  
10 FOR APPROVAL TO CANCEL ITS  
11 CERTIFICATE OF CONVENIENCE AND  
12 NECESSITY TO PROVIDE  
13 TELECOMMUNICATIONS SERVICES.

DOCKET NO. T-04259A-11-0206

DECISION NO. \_\_\_\_\_

**ORDER**

14 Open Meeting  
15 August 16 and 17, 2011  
16 Phoenix, Arizona

17 **BY THE COMMISSION:**

18 \* \* \* \* \*

19 Having considered the entire record herein and being fully advised in the premises, the  
20 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

21 **FINDINGS OF FACT**

22 1. On July 18, 2005, in Decision No. 67981, issued in Docket No. T-04259A-04-0382  
23 ("CC&N Docket"), Global Connection Inc. of America ("Global") was granted a Certificate of  
24 Convenience and Necessity ("CC&N") to provide competitive resold interexchange, resold local  
exchange, and facilities-based local exchange telecommunications services in Arizona. The Decision  
required Global to procure and docket proof of a performance bond equal to \$125,000 within one  
year after the effective date of the Decision or 30 days prior to commencing service. Global filed a  
surety bond in the amount of \$135,000 on June 19, 2007, and filed a continuation certificate for the  
surety bond on June 13, 2008.

25 2. On May 20, 2011, in this Docket, Global filed a letter requesting voluntary  
26 cancellation of its CC&N to provide telecommunications services in Arizona. Global did not provide  
27 an explanation for its request.  
28

1           3.       On June 16, 2011, in this Docket, the Commission's Utilities Division ("Staff") filed a  
2 Staff Report recommending approval of Global's request for cancellation of its CC&N, to become  
3 effective after issuance of a Decision by the Commission, and approval of a waiver of the notice  
4 requirement in A.A.C R14-2-1107(A)(2). Staff stated that Global has affirmed that it has never  
5 offered services in Arizona; that it has not collected any advances, deposits, or prepayments from  
6 customers in Arizona because it has never provided service in Arizona; and that it has no intrastate  
7 telecommunications service customers in Arizona. Staff further recommended that any Global tariffs  
8 be cancelled and withdrawn. Staff observed that upon cancellation of its CC&N, Global will no  
9 longer be subject to the requirements of Decision No. 67981.

10           4.       Staff's Consumer Services Section reports that no complaints, inquiries, or opinions  
11 were filed against Global from January 1, 2008, through May 24, 2011. Staff's Compliance Section  
12 reports that Global has no compliance delinquencies. In addition, Global is in good standing with the  
13 Commission's Corporations Division.

14           5.       A.A.C. R14-2-1107(A)(2) requires that an application to discontinue service include  
15 verification that all affected customers have been notified of the proposed discontinuance and that all  
16 affected customers will have access to an alternative provider. Because Global has never had any  
17 Arizona customers, Global would be unable to identify any affected customers.

18           6.       A.A.C. R14-2-1107(A)(4) requires that an application to discontinue service include a  
19 list of all alternative utilities providing the same or similar service within the affected geographic  
20 area. Because Global has never had any Arizona customers, there is no practical use for such a list if  
21 produced.

22           7.       A.A.C. R14-2-1107(B) requires a competitive telecommunications provider to publish  
23 legal notice of its application to discontinue service in all counties affected by its application within  
24 20 days after filing the application. Because Global has never provided intrastate  
25 telecommunications services anywhere in Arizona, it is unclear what counties, if any, would be  
26 affected by Global's application, and it appears that there is currently no benefit to be gained from  
27 requiring Global to publish notice of its application for cancellation of its CC&N.

28           8.       Staff's recommendations to cancel Global's CC&N, to grant Global a waiver of the

1 notice requirement of A.A.C. R14-2-1107(A)(2), and to cancel any Arizona tariff filed by Global are  
2 reasonable and appropriate and should be adopted. In addition, it is reasonable and appropriate to  
3 grant Global waivers of the requirements of A.A.C. R14-2-1107(A)(4) and (B). Also, it is reasonable  
4 and appropriate to close the CC&N Docket.

### 5 CONCLUSIONS OF LAW

6 1. Global is a CC&N holder authorized to provide service as a public service corporation  
7 within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

8 2. The Commission has jurisdiction over Global and the subject matter of the application.

9 3. Because Global has never had any Arizona customers, it is reasonable and appropriate  
10 and in the public interest to grant Global waivers of the requirements of A.A.C. R14-2-1107(A)(2),  
11 (A)(4), and (B).

12 4. It is reasonable and appropriate and in the public interest to cancel Global's CC&N to  
13 provide competitive resold interexchange, resold local exchange, and facilities-based local exchange  
14 telecommunications services in Arizona and to cancel any tariff that Global has filed with the  
15 Commission for such services.

16 5. It is also reasonable and appropriate and in the public interest to close the CC&N  
17 Docket.

### 18 ORDER

19 IT IS THEREFORE ORDERED that Global Connection Inc. of America's Certificate of  
20 Convenience and Necessity to provide competitive resold interexchange, resold local exchange, and  
21 facilities-based local exchange telecommunications services in Arizona, granted in Decision No.  
22 67981 (July 18, 2005), is hereby cancelled.

23 IT IS FURTHER ORDERED that Global Connection Inc. of America is hereby granted a  
24 waiver of the requirements of A.A.C. R14-2-1107(A)(2), (A)(4), and (B).

25 IT IS FURTHER ORDERED that any Global Connection Inc. of America tariffs on file with  
26 the Commission are hereby cancelled.

27 ...

28 ...

1 IT IS FURTHER ORDERED that Docket No. T-04259A-04-0382 is hereby closed.

2 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

3 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.  
4  
5

6 CHAIRMAN

COMMISSIONER

8 COMMISSIONER

COMMISSIONER

COMMISSIONER

9 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,  
10 Executive Director of the Arizona Corporation Commission,  
11 have hereunto set my hand and caused the official seal of the  
12 Commission to be affixed at the Capitol, in the City of Phoenix,  
13 this \_\_\_\_ day of \_\_\_\_\_, 2011.  
14

15 ERNEST G. JOHNSON  
16 EXECUTIVE DIRECTOR

17 DISSENT \_\_\_\_\_  
18

19 DISSENT \_\_\_\_\_  
20

SNH:db  
21  
22  
23  
24  
25  
26  
27  
28

1 SERVICE LIST FOR: GLOBAL CONNECTION INC. OF AMERICA

2 DOCKET NO.: T-04259A-11-0206

3  
4 Angela Briggs  
5 GLOBAL CONNECTION INC. OF AMERICA  
6 5555 Oakbrook Parkway, Suite 620  
7 Norcross, GA 30093

8 Janice Alward, Chief Counsel  
9 Legal Division  
10 ARIZONA CORPORATION COMMISSION  
11 1200 West Washington Street  
12 Phoenix, AZ 85007

13 Steven M. Olea, Director  
14 Utilities Division  
15 ARIZONA CORPORATION COMMISSION  
16 1200 West Washington Street  
17 Phoenix, AZ 85007